

IN THE WATER COURT OF THE STATE OF MONTANA  
UPPER MISSOURI DIVISION  
DEARBORN RIVER BASIN (41U)  
PRELIMINARY DECREE

\*\*\*\*\*

CLAIMANT: Wolf Creek Ranch LLC

OBJECTOR: Wolf Creek Ranch LLC

NOTICE OF INTENT TO APPEAR: Dearborn Canal Co;  
Dearborn Ranch LLC

**CASE 41U-0075-R-2023**  
41U 96702-00  
41U 127884-00

**ORDER AMENDING AND ADOPTING MASTER'S REPORT  
AND  
CORRECTING ABSTRACT**

Pursuant to Montana Code Annotated, section 85-2-233(5), Case 41U-0075-R-2023 was assigned to Water Master Anika M. Stern. The Water Master filed a Report containing Findings of Fact and Conclusions of Law on June 21, 2023. On June 26, 2023, Wolf Creek Ranch LLC objected to the Master's Report.

The Objection correctly identifies a clerical error in the Master's Report and Post Decree Abstract for claim 41U 127884-00. Finding of Fact No. 8 should be corrected to reflect that the source for claim 41U 127884-00 is "Dearborn River" and not "Dearborn River, South Fork." The Post Decree Abstract for claim 41U 127884-00 has been corrected to reflect the decreed source name: "Dearborn River."

The Court has reviewed the Water Master's Findings and Conclusions. Pursuant to Rule 53(e), Montana Rules of Civil Procedure, the Court **ADOPTS** the Master's Report with the above referenced amendment.

A corrected Post Decree Abstract for claim 41U 127884-00 is served with this Order to confirm that the Recommendations set forth in the Master's Report, as amended by this Order, have been adopted for the claims in this Case.

**ELECTRONICALLY SIGNED AND DATED BELOW.**

**Service Via Electronic Mail:**

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**POST DECREE  
ABSTRACT OF WATER RIGHT CLAIM  
DEARBORN RIVER  
BASIN 41U**

**Water Right Number:** 41U 127884-00 STATEMENT OF CLAIM  
**Version:** 4 -- POST DECREE  
**Status:** ACTIVE

**Owners:** WOLF CREEK RANCH LLC  
124 W PINE ST  
MISSOULA, MT 59802

**\*Priority Date:** DECEMBER 7, 1899

**Type of Historical Right:** USE

**Purpose (use):** IRRIGATION  
**Irrigation Type:** FLOOD

**Flow Rate:** 3.56 CFS

**Volume:** THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

**Climatic Area:** 3 - MODERATE

**Maximum Acres:** 94.00

**Source Name:** DEARBORN RIVER  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSESW	25	17N	5W	LEWIS AND CLARK

**Period of Diversion:** APRIL 15 TO OCTOBER 31

**Diversion Means:** DAM

**Ditch Name:** BURGGRAFF DITCH

**Period of Use:** APRIL 15 TO OCTOBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	62.00		W2	30	17N	4W	LEWIS AND CLARK
2	23.00		E2	25	17N	5W	LEWIS AND CLARK
3	9.00		NWNE	30	17N	4W	LEWIS AND CLARK
<b>Total:</b>	94.00						

**Remarks:**

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

96702-00

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